



INTELLECTUAL PROPERTY LAW

Professors Chris Sprigman (left) and Dotan Oliar recently examined the implications of joke-stealing among stand-up comics. “Copyright law protects original expression, but not ideas, and much alleged joke-stealing involves telling the same comedic idea in different words,” Oliar and Sprigman wrote in the *Virginia Law Review*. Instead, comedians assert ownership of jokes through an informal system of social practices and institutions.

COURSES AND SEMINARS

Advanced Issues in Intellectual Property Policy
Art Law
Bioethics and the Law
Communications Law
Computer Law
Copyright Law
Cultural Property
Current Issues in Patent Law
Cybercrime
Emerging Growth Companies and Venture Capital Financing
Entertainment Law
Intellectual Property Law Policy
International Patent Law and Policy
Law and Technology Policy
Patent Law
Privacy and Surveillance
Property Theory
Survey of Patent, Copyright and Trademark
Trademark and Unfair Competition Law
Trade Secrets: History, Theory and Practice

CLINICS

Patent and Licensing Clinic I
Patent and Licensing Clinic II

THE INNOVATIONS THAT PRODUCE economic growth and social progress first arise as ideas. The cost of bringing a new idea to market can be extraordinarily high, but the cost of copying that idea is often very cheap. Intellectual property law tries to balance society’s interest in having incentives to create intellectual property with the need to distribute that property optimally for social benefit. The ability of digital technologies to copy and exploit the advantages of unique intellectual achievements presents new challenges for intellectual property law, making it one of the fastest-growing legal specialties in the United States.

Being a good intellectual property lawyer requires adaptability in a dynamic field and an understanding of the realities of producing intellectual works. Two patent and licensing clinics offer students hands-on experience with learning how and when to file patents and draft licensing agreements, as well as dealing with clients in the science and technology fields.

CURRICULUM

Virginia’s courses cover not just the basic forms of intellectual property — patent, copyright and trademark — and common issues of unfair competition, but also the challenges posed by international law and the Internet. Advanced colloquia in property rights offer students a chance to explore theoretical and practical issues. Recent seminars include Intellectual Property Law Policy, Privacy and Surveillance, and Cybercrime.

PATENT AND LICENSING CLINICS

Hands-on experience is available through two clinics offered in conjunction with the University of Virginia



PROFESSOR MARGO BAGLEY

is exploring what it would mean to move from the first-to-invent patent filing system to a first-inventor-to-file (FITF) system, as used by the rest of the world.

“There are valid arguments for and against each approach,” Bagley said. “My concern is less on the merits of whether the U.S. should switch to FITF, and more on when and under what circumstances the change should happen in order to be most beneficial to small-entity inventors in the U.S. and beyond.”



BRADY COX '10 has worked with Professor Chris Sprigman on a range of projects, including examining trademark in a clown makeup registry, researching the history of the “law of nature doctrine” in patent law, and helping with an antitrust symposium featuring a number of well-known professors and practitioners.

“I’ve not only had the opportunity to learn a lot about IP, but have also developed a great relationship with a fantastic professor,” Cox said. “He has helped me gain a greater understanding of a lot of the current issues in copyright and trademark today, especially in areas where intellectual property protection is very thin.”

Patent Foundation. The first clinic involves practical training in patent drafting as well as the negotiation and drafting of patent and software license agreements. Students are assigned to one or more significant drafting and counseling projects and work in the office of the University of Virginia Patent Foundation one day per week.

Clinic participants may evaluate inventions and computer software for patentability and commercial value; counsel UVA faculty inventors regarding patentability, inventorship and the patenting process; prepare, file and prosecute provisional U.S. patent applications; and deal with patent examiners and research current issues in the fields of intellectual property and technology transfer. In a second clinic, the student may work exclusively with patent attorneys drafting, filing and prosecuting patent applications. Alternatively, the student may choose to work exclusively with licensing agents to draft license agreements, negotiate terms and conditions, and prepare confidentiality agreements and marketing documents.

Recent projects include:

- A patent application for a class of metals capable of recovering their original shape and thickness after impact or crushing
- Converting a provisional patent application on technology designed by a pharmacology professor that may halt the spread of cancerous cells
- A brief on pharmaceutical patents in developing countries
- A patent application for a battery-operated, hand-held imaging device that promises to perform better than most ultrasound instruments
- Prior art search and a draft patent application for a novel seatbelt-control system
- Prior art review, market research and marketing for a neuro-stimulation technique for the treatment of epilepsy

STUDENT ORGANIZATIONS

Virginia Journal of Law & Technology

Virginia Law’s only e-journal, VJOLT provides a forum for students, professors and practitioners to discuss emerging issues at the intersection of law and technology. Recent issues have included articles on biotechnology, telecommunications, e-commerce, Internet privacy and encryption. VJOLT publishes full-text articles directly to the Web.

Virginia Society of Law & Technology

VSLAT provides a forum for the discussion of issues relating to law and technology through speakers, panels and symposia. Recent events include a student discussion of career opportunities in the field of law and technology and a presentation by private patent practitioners. VSLAT works with the faculty and administration to strengthen the Law School’s intellectual property curriculum and supports students pursuing careers in law and technology.

Related Organizations

The Virginia Law and Business Society explores the nexus between the worlds of law and business and sometimes features speakers on intellectual property topics. The JD/MBA Society serves as a focal point for communication between J.D. and M.B.A. students and sponsors events and activities that promote interaction among the Law and Business School communities.

EVENTS

Recent events related to intellectual property include:

- **COPYRIGHT AT A CROSSROADS**, a conference focusing on copyright in the digital age, sponsored by the Virginia Journal of Law and Technology
- **STOPLIGHTS AT THE IP/ANTITRUST INTERSECTION: THE FTC’S PATENT SETTLEMENT AND STANDARD-SETTING CASES**, with Suzanne Michel, assistant director for policy and coordination at the Federal Trade Commission
- **WHO OWNS YOU? THE CORPORATE GOLD RUSH TO PATENT YOUR GENES**, with Professor David Koepsell, Delft University of Technology
- **SECONDARY FAIR USE**, with Professor Dotan Oliar
- **THE CONCEPT OF PROPERTY IN THE DIGITAL ERA: A DEFENSE OF PROPERTY RIGHTS IN THE ONLINE WORLD**, with Rob Merges, director of the University of California-Berkeley Center for Law & Technology
- **CURRENT ISSUES IN IP LICENSING**, with Greg Kisor, vice president and general manager of investor relations, Intellectual Ventures

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www.law.virginia.edu/ip

CONTACT Professor Margo Bagley

(434) 924-4492 | mbagley@virginia.edu

